

Article - Education

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§5–326.

(a) In this section, “Fund” means the Public School Facilities Priority Fund.

(b) There is a Public School Facilities Priority Fund.

(c) (1) Except as provided in paragraph (2) of this subsection, the purpose of the Fund is to provide State funds to address the facility needs of the highest priority schools in the State as identified by the statewide facilities assessment completed by the Interagency Commission on School Construction under § 5–310(e) of this subtitle, with highest priority given to schools with a severe facility issue that required the school to be closed in the current school year or the previous school year.

(2) If the statewide facilities assessment is not completed, the purpose of the Fund is to provide State funds to address the severity of issues in a school, including:

- (i) Air conditioning;
- (ii) Heating;
- (iii) Indoor air quality;
- (iv) Mold remediation;
- (v) Temperature regulation;
- (vi) Plumbing, including the presence of lead in drinking water outlets in school buildings;
- (vii) Windows; and
- (viii) Any additional severe issues in the school that require the school to be closed.

(d) The Interagency Commission on School Construction shall administer the Fund.

(e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(f) The Fund consists of:

(1) Money appropriated in the State budget to the Fund;

(2) Any interest earnings of the Fund; and

(3) Any other money from any other source accepted for the benefit of the Fund.

(g) The Fund may be used only for the purpose established under subsection (c) of this section.

(h) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any interest earnings of the Fund shall be credited to the Fund.

(i) (1) In fiscal years 2025 and 2026, the Governor shall appropriate in the annual State operating or capital budget bill at least \$40,000,000 to the Fund.

(2) In fiscal year 2027 and each fiscal year thereafter, the Governor shall appropriate in the annual State operating or capital budget bill at least \$80,000,000 to the Fund.

(j) Expenditures from the Fund may be made only in accordance with the State budget.

(k) Money expended from the Fund is supplemental to and is not intended to take the place of funding that otherwise would be appropriated in the annual State operating or capital budget bill to primary and secondary schools under this article.

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